

February 15, 2005

FILED
IN CLERKS OFFICE

United States District Court
District of Massachusetts
1 Courthouse Way
Suite 2300
Boston, MA. 02210

2005 FEB 16 P 3:15

ATTN: Tony Anastas, Clerk of the Court

U.S. DISTRICT COURT
DISTRICT OF MASS

RE: Jack C. Chilingirian v. David L. Winn
Civil Action No. 05-10005-RCL

Dear Mr. Anastas:

I am writing this letter to you directly in reference to the above noted case. So that I am able to proceed in a proper fashion I am enclosing a copy of a letter which I directed to your offices in connection with the filing of a Motion to Direct the Clerk of the Court for the District of Massachusetts to do something which you have already been ordered to do by the Hon. Reginal C. Lindsay, USDJ pursuant to an Order dated January 5, (sic) 2004. A copy of that Order is enclosed for your consideration.

As of the date of the filing of the instant Motion, and certainly as late as January 31, 2005 when the copy of the Order was mailed to me by Deputy Clerk, Don Stanhope the docket entries of the case did not reflect service on the U.S. Attorney's Office nor on the Office of the Attorney General of the United States. In two separate written communications directed to Mr. Stanhope dated 2/2/05 and 2/4/05 I asked whether any effort was being made to accomplish what the Court directed your offices to do on January 5, 2005. (Although, the Order is dated January 4, 2004 I must assume that it was actually entered on January 5, 2005).

I am respectfully asking you personally to advise me as to (1) **why service has not been attempted to be made on the above recited individuals**, and (2) **when do you expect to make such an effort?**

I ask that the courtesy that your offices extends to other litigants be extended to me, an inmate at a Federal facility. I am entitled to due process just like anyone else who files a claim in your court. I am not trying to be critical. All I want is to protect a very important right which the Warden and BOP are depriving me of: **good-time credits**. Please advise me as soon as possible as to when compliance will take place in reference to the Order of January 5, 2005.

Thank you for your professional courtesy and response to this communication.

Sincerely,

JACK C. CHILINGIRIAN

JACK C. CHILINGIRIAN
22512-039 UNIT I (CAMP)
FEDERAL MEDICAL CENTER DEVENS
P.O. BOX 879
AYER, MA. 01432

Encl.

cc: Duplicate Copy to Clerk of the Court to be Filed in Court File

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Jack C. Chilingirian

Petitioner

v.

CIVIL ACTION

NO. 05-10005

David L. Winn, Warden Federal Medical Center

Respondent

O R D E R

Lindsay, D. J.

Pursuant to Rule 4(b) of the Rules Governing Section 2241 cases, the Clerk of this Court is hereby ordered to serve a copy of the Petition upon the office of the United States Attorney General, the United States Attorney and the office of Immigration and Naturalization .

It is further ordered that the Respondent shall, within 60 days of receipt of this Order, file an answer or other responsive pleading.

1/5/04

Date

/s/ Reginald C. Lindsay
United States District Judge



I HEREBY CERTIFY AND CERTIFY ON 1/31/05
THAT THE FOREGOING DOCUMENT IS A FULL, TRUE
AND CORRECT COPY OF THE ORIGINAL ON FILE
IN MY OFFICE AND IN MY LEGAL CUSTODY.

TONY ANASTAS
CLERK, U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BY: Don Stanley

[225serv.]

~~DUPPLICATE COPY TO BE~~~~DATE-STAMPED AND RETURNED~~

United States District Court
 District of Massachusetts
 1 Courthouse Way
 Suite 2300
 Boston, MA. 02210

February 20 2005
 IN CLERKS OFFICE

2005 FEB -3 P 12:29

U.S. DISTRICT COURT
 DISTRICT OF MASS.

ATTN: Don Stanhope, Deputy Clerk

RE: Jack C. Chilingirian v. David L. Winn
 Civil Action No. 05-10005-RCL

Dear Mr. Stanhope:

I thank you for your note advising me of the identity of Mr. Frank Crowley as the head of Immigration and Naturalization Office. I also appreciate the copy of the Order dated January 5, 2005 (which is misdated as 1/5/04 on the face of the Order) which indicates that the Clerk's Office is to serve a copy of the Petition upon the Office of the United States Attorney General and the U.S. Attorney's Office.

In examining the docket entries I note that no effort has been made to accomplish such service, even though some 27 days have elapsed since the entry of the Order. Can you provide me with an explanation as to why this does not appear on the docket entries, and if your office has not sent the copies of the Petition to the remaining individuals that are required to be served, when they will in fact be sent the required documents?

I also note that the Order of January 5, (sic) 2005 allows the Government 60 days to respond to the Petition when in fact Docket Entry No. 2 states that the responsive pleading is due within 20 days of the receipt of the documents. Can you advise as to the nature of the discrepancy?

It is important that I be apprised of the actual events and when service is to be accomplished. This case involves good-time credits which the BOP has refused to authorize on my behalf. Every day that this case is delayed prejudices me in reference to a final resolution.

I thank you in advance for responding to my inquiries. A duplicate of this letter is enclosed to be date stamped and returned in the self-addressed postage pre-paid envelope.

Sincerely,

JACK C. CHILINGIRIAN
 22512-039 UNIT I (CAMP)
 FEDERAL MEDICAL CENTER, DEVENS
 P.O. BOX 879
 AYER, MA. 01432

Encl.

FILED
IN CLERKS OFFICE
February 7, 2005 P 3:20
2005 FEB -9 P 3:20

U.S. DISTRICT COURT
DISTRICT OF MASS.

United States District Court
District of Massachusetts
1 Courthouse Way
Suite 2300
Boston, MA. 02210

ATTN: Don Stanhope, Deputy Clerk

RE: Jack C. Chilingirian v. David L. Winn
Civil Action No. 01-10005-RCL

Dear Mr. Stanhope:

On February 2, 2005 I sent the original and one copy of the enclosed letter to your offices in reference to the above noted matter. I received a date-stamped copy indicating that you had received and docketed the letter on February 3, 2005.

However, you did not respond to the questions I asked about and would appreciate being advised of the following:

- (1) When was service of process effectuated on the U.S. Attorney's Office and when was the Petition served on the Attorney General of the United States?
- (2) If service has been made as required under judge Lindsay's Order of January 5, 2005 can you provide me with a copy of the docket entry showing that return of service has been accomplished?

A duplicate copy of this letter is enclosed to be date-stamped and returned in the self-addressed postage pre-paid envelope.

Sincerely,

JACK C. CHILINGIRIAN
22512-039 UNIT I (CAMP)
FEDERAL MEDICAL CENTER DEVENS
P.O. BOX 879
AYER, MA. 01432

Encl.